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GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

**July 13, 2016 Board Meeting
Draft Minutes for Board Consideration**

ADOPTED August 10, 2016

Note: Copies of orders, resolutions, and minutes are posted on the Regional Water Board’s website (www.waterboards.ca.gov/sanfranciscobay). Information about obtaining copies of audio recordings of Board meetings may be obtained by calling the Board’s file review coordinator at (510) 622-2430. Written transcripts of Board meetings may be obtained by calling California Reporting, LLC, at (415) 457-4417.

Item 1 - Roll Call and Introductions

Meeting called to order at 9:05 a.m. in the Elihu M. Harris Building, First Floor Auditorium.

<u>Board Members Present</u>	<u>Board Members Absent</u>	<u>Status</u>
Cecilia Ogbu		QUORUM
Steve Lefkovits		
Newsha Ajami		
William Kissinger		
John Muller		
Vice-Chair James McGrath		
Chair Terry Young		

Item 1 – Roll Call and Introductions

Senior Engineering Geologist Laurent Meillier introduced new Scientific Aid David Tanouye.

Item 2 – Public Forum

No parties requested to speak.

Item 3 - Minutes of the June 8, 2016 Board Meeting

Executive Officer Bruce Wolfe recommended adoption of the Minutes of the June 8, 2016 Board Meeting.

Board Member McGrath moved for adoption of the Minutes; Board Member Ogbu seconded the motion.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEM ADOPTED

Item 4 - Chair's, Board Members', and Executive Officer's Reports

Board Member Muller recently met with visiting Chinese students and shared some of their thoughts and ideas about water. Vice Chair McGrath discussed implementation of Measure AA that was passed in June and green infrastructure needs in Berkeley.

Mr. Wolfe gave an overview of this month's Executive Officer's Report. He discussed the new fiscal year's budget and expected new positions. Vice Chair McGrath asked a number of questions regarding State Board polices and plans under development. Board Member Lefkovits asked about the audience for the integrated report.

Consideration of Uncontested Items

Item 5A – Napa Sanitation District, Soscol Water Recycling Facility and Wastewater Collection System, Napa, Napa County – Reissuance of NPDES Permit

Item 5B – City of Livermore, Stream Maintenance Program, Alameda County – Issuance of Waste Discharge Requirements and Water Quality Certification

Pamela Lung, Senior Civil Engineer for the City of Livermore, expressed her thanks to staff and support for the order for Item 5B.

Board Member Ajami moved for adoption of items 5A and 5B; Board Member Muller seconded the motion.

Vice Chair McGrath noted concern on Item 5A with the sewer collection system rehabilitation rate indicated in the Fact Sheet. Tim Healy, General Manager for the Napa Sanitation District, discussed the District's budget and a recent campaign focused on changing the rate structure and doubling its rehabilitation rate.

Mr. Wolfe recommended adoption of items 5A and 5B.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath, Young

Nos: none

ITEMS ADOPTED

Item 5C – Starlink Logistics, Inc. (formerly Rhone-Poulenc, Inc.), for 1990 Bay Road Site, East Palo Alto, San Mateo County – Adoption of Final Site Cleanup Requirements

Chair Young recused herself from the item to prevent the appearance of bias.

Robert Hines, Environmental Counsel for Starlink Logistics, Inc., addressed the Board. He commended staff for their work on the project and the consolidated order.

Mr. Wolfe recommended adoption of Item 5C.

Board Member Muller moved for adoption of Item 5C; Board Member Ajami seconded the motion.

Ayes: Ogbu, Lefkovits, Ajami, Kissinger, Muller, McGrath

Recuse: Young

Nos: none

ITEM ADOPTED

Other Business

Item 6 – Environmental Risk Assessment – Status Report

Staff Toxicologist Nicole Fry gave the presentation. She gave an overview of the site cleanup process and key elements of risk assessment, and presented a case study.

Board Member Lefkovits asked about wildlife exposure pathways. Board Member Ajami asked about risk management when the groundwater is contaminated. Board Member Muller asked about whether there's been any outreach with the dry cleaner associations and trade groups. Board Member Ogbu asked about the applicability of our Environmental Screening Levels (ESLs) at sites. Board Member McGrath discussed cancer risk factors. Chair Young noted the need to have the ESLs peer reviewed. She also noted the lack of data on exposure risks to terrestrial species. Staff noted that we work with a number of outside toxicologists in the development and update of the ESLs.

This item was for informational/discussion purposes and no action was taken.

Item 7 – Correspondence

Mr. Wolfe highlighted the correspondence highlighting staff's benefits to the implementation of the San Francisquito Creek flood management project. Legal Counsel Tamarin Austin updated the Board on recent correspondence from the Solano County court regarding the Point Buckler matter.

Item 9 – CLOSED SESSION - Litigation

The Board met in closed session to discuss whether or not to initiate litigation and to discuss the following litigation:

San Francisco Baykeeper, Inc. v. California Regional Water Quality Control Board, San Francisco Bay Region, et al. (Alameda County Superior Court No. RG15776089)

No decision was made and no actions were taken.

CLOSED SESSION at 10:37 A.M.; RECONVENED at 10:58 A.M.

Item 11 - Adjournment

Meeting adjourned at 10:58 a.m. until the next Board Meeting – August 10, 2016